

Serial No. 10/633,471  
Attorney Docket No. AHUG.011  
Responsive to Office Communication dated 10/26/2005

**I. Remarks**

In the correspondence mailed October 26, 2005, the examiner notified the applicant that the applicant's amendment of June 28, 2005 is not fully responsive to the office action mailed February 1, 2005. The applicant appreciates the opportunity to clarify the amendment.

**A. Reply to Claim Rejections – 35 U.S.C. § 102**

In the amendment of June 28, 2005, the applicant explicitly responded to the examiner's rejection of claims 10-11, 27-28, 39-40, and 60-61 under § 102, arguing that U.S. Patent No. 4,836,305 [the '305 patent] does not disclose aligning connectors of one tubing section for automatic engagement with connectors of another tubing section using only splines, receptacles, and connectors. Accordingly, the applicant amended each independent claim (i.e. claims 1, 18, 35, 47, and 50) to recite such a feature and distinguish the claims from the '305 patent. In particular, this feature is reflected in amended claim 1 by the limitation described as joining "the plug assembly . . . to the socket assembly by the securing device in a plurality of orientations so that, in each of the plurality of orientations, when the plurality of splines in the plug assembly mate with the plurality of receptacles in the socket assembly, the plurality of first connectors engage the plurality of second connectors." In amended claim 18, this feature is reflected in the limitation "wherein the plurality of transmission means are aligned for connectivity when the plurality of splines on one tubing joint are inserted into the plurality of receptacles on another tubing joint." In amended claim 35, this feature is reflected in the limitation "that the plurality of first connectors engage the plurality of second connectors." In amended claim 47, this feature is reflected in the limitation "wherein a plurality of connectors are

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aligned for connectivity when the splines of the upper drill pipe section are received in the corresponding receptacles in the next adjacent drill pipe section." Finally, in amended claim 50 this feature is incorporated through the limitations of "a first plurality of transmission means . . . and a second plurality of transmission means . . . wherein each of the plurality of distinct orientations, the first plurality of transmission means are aligned for connectivity with the second plurality of transmission means by means of a mating of plurality of splines and a corresponding plurality of receptacles."

As amended, the applicant submits that the '305 patent does not anticipate any independent claims. And to the extent that the '305 patent does not anticipate the independent claims, it cannot anticipate any claim that depends upon them. Accordingly, *all* of the applicant's claims now are distinguishable over the '305 patent.

Moreover, as the applicant indicated in the amendment of June 28, the applicant believes that the examiner's remaining rejections under § 102 based on other references are moot in light of the applicant's amendments to the independent claims. More particularly, these other references (including U.S. Patent Nos. 398,620; 6,116,658; and 1,781,091) are merely cumulative with respect to the applicant's independent claims, and do not teach the alignment of connectors of one tubing section for automatic engagement with connectors of another tubing section using only splines, receptacles, and connectors. Thus, the applicant submits that the amendments to the independent claims described above also overcome the examiner's rejections based on these references.

#### **B. Reply to Claim Rejections – 35 U.S.C. § 103**

In the office action of February 1, the examiner also rejected claims 1-5, 7-9, 12-22, 24-26, 29-38, 41-55, 57-59 and 62-66 as being unpatentable over U.S. Patent No. 1,589,781 [the '781 patent] in view of U.S. Patent No. 3,463,228 [the '228 patent].

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Again, the applicant indicated in the amendment of June 28 that the examiner's rejections under § 103 based on these references also are moot in light of the applicant's amendments to the independent claims. The applicant's conclusion with respect to the § 103 rejections is explained more fully below.

To establish *prima facie* obviousness of a claimed invention, the examiner must demonstrate with substantial evidence that *all* the claim limitations are taught or suggested by the prior art. *See, e.g., In re Zurko*, 258 F.3d 1379, 1384-85 (Fed. Cir. 2001) (holding invention was not obviousness because prior art failed to teach single element); *In re Grasselli*, 713 F.2d 731 (Fed. Cir. 1986) (finding that prior art was deficient in at least one element – the claimed invention could not have been obvious without motivation to add element); *accord MPEP* § 2143.03 (citing *In re Royka*, 490 F.2d 981 (CCPA 1974)).

Neither the '781 patent nor the '228 patent teach the alignment of connectors of one tubing section for automatic engagement with connectors of another tubing section using only splines, receptacles, and connectors. As discussed above, the applicant has amended each independent claim to incorporate this feature into the claims. Thus, neither the '781 patent nor the '228 patent, alone or in combination, teach or suggest all of the applicant's claim limitations (as amended). Accordingly, the applicant submits that the amendments to the independent claims described above also overcome the examiner's rejections under § 103 based on the '781 patent and the '228 patent.

### C. Conclusion

In light of the remarks above, the applicant respectfully request the examiner to reconsider the applicant's amendments of June 28, 2005.

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And as amended, the applicant submits that the claims of the present application are not fairly taught by any of the references of record, taken either alone or in combination. Therefore, allowance of the present application is in order, and is requested.

Respectfully submitted,

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